

THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * * *

BRIAN M. WILSON,

Plaintiff,

vs.

AARGON AGENCY, INC., *et al.*,

Defendants.

2:07-cv-00616-LDG-VCF

DATE: November 19, 2015

MINUTES OF PROCEEDINGS:
Jury Trial (Day 4)

THE HONORABLE GLORIA M. NAVARRO, CHIEF UNITED STATES DISTRICT JUDGE

DEPUTY CLERK: Aaron Blazeovich COURT REPORTER: Araceli Bareng

COUNSEL FOR PLAINTIFF: Craig Friedberg and Barak Berlin

COUNSEL FOR DEFENDANT: Mark Bourassa and Trent Richards

MINUTES OF PROCEEDINGS: Jury Trial (Day 4)

Plaintiff Brian Wilson is present at plaintiff's counsel table. Defendant Duane Christy is present at defendant's counsel table.

12:07 p.m. The Court convenes outside the presence of the jury. The Court hears arguments of counsel on the MOTION for Leave to Withdraw Admission to Request for Admission No. 65 (ECF No. 123). The Court DENIES the Motion (ECF No. 123) for the reasons stated on the record.

12:33 p.m. The jury enters the courtroom. **BRIAN WILSON**, previously sworn and called by the plaintiff, takes the witness stand and Mr. Bourassa continues cross examination. **EXHIBITS 21, 29A (Pages 41-46), and 29B (Pages 25-26) are marked and admitted into evidence.**

1:30 p.m. The jury is admonished and excused for an afternoon break. The Court stands at recess.

1:52 p.m. The Court reconvenes in the presence of the jury. **BRIAN WILSON**, previously sworn and called by the plaintiff, takes the witness stand and Mr. Bourassa continues cross examination. Mr. Friedberg conducts redirect examination. Mr. Bourassa conducts re-cross examination. The Court asks witness **BRIAN WILSON** questions which were provided by the jury. Mr. Friedberg conducts follow-up direct examination. Mr. Bourassa conducts follow-up cross examination questions. Mr. Friedberg conducts follow-up redirect examination. **EXHIBIT 33 (Pages 8 & 9, Redacted) marked and admitted into evidence. EXHIBIT 25 marked but not admitted into evidence.**

3:09 p.m. The jury is admonished and excused for an afternoon break. The Court stands at recess.

3:32 p.m. The Court convenes outside the presence of the jury. The Court informs the parties of the recent circumstances of juror number two. The Court hears representations from counsel regarding the MOTION to Strike the Testimony of Plaintiff's Expert Stan V. Smith, Ph.D (ECF No. 124). The Court DENIES the Motion (ECF No. 124) for the reasons stated on the record.

3:55 p.m. The jury enters the courtroom. **BRIAN WILSON**, previously sworn and called by the plaintiff, takes the witness stand and Mr. Friedberg continues follow-up redirect examination. Mr. Bourassa conducts follow-up re-cross examination. Mr. Friedberg conducts further follow-up redirect examination. Mr. Bourassa conducts further follow-up re-cross examination. The witness is excused.

4:18 p.m. **DR. STAN V. SMITH**, available via video conference, is recalled and sworn. Mr. Bourassa conducts cross examination. Mr. Friedberg conducts redirect examination. Mr. Bourassa conducts re-cross examination. The Court asks witness **DR. STAN V. SMITH** questions which were provided by the jury. The witness is excused.

5:08 p.m. The jury is admonished and excused for the day.

5:15 p.m. The Court and parties discuss scheduling issues outside the presence of the jury. The Court adjourns.

Jury trial shall continue on Friday, November 20, 2015 at 9:00 a.m. in LV Courtroom 6B before Chief Judge Gloria M. Navarro.

LANCE S. WILSON, CLERK
U.S. DISTRICT COURT

BY: _____/S/
Aaron Blazeovich, Deputy Clerk